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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,123	10/30/2001	David D. Faraldo II	05220.P004	7352
7590	05/19/2005			EXAMINER LEROUX, ETIENNE PIERRE
Andre M. Gibbs BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP Seventh Floor 12400 Wilshire Boulevard Los Angeles, CA 90025-1026			ART UNIT 2161	PAPER NUMBER

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/020,123	FARALDO, DAVID D.
Examiner	Art Unit	
Etienne P LeRoux	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 24 March 2005.

2a)  This action is FINAL.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-3,5-23,25-38,40-48,50-54,57 and 58 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-3, 5-23, 25-38, 40-48, 50-52, 54, 57, and 58 is/are rejected.

7)  Claim(s) 17, 30, 43 and 53 is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 30 October 2001 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date .

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_ .

***Continued Examination***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/24/2005 has been entered.

***Claim Status***

Claims 1-3, 5-23, 25-38, 40-48 and 50-54, 57 and 58 are pending; claims 4, 24, 39 and 49 having been cancelled and claims 55 and 56 not having been entered. Claims 1-3, 5-23, 25-38, 40-48 and 50-52, 54, 57 and 58 are rejected and claims 17, 30, 43 and 53 are objected to as detailed below.

***Claim Objections***

Claims 17, 30, 43 and 53 are objected to because of the following:

Claims as above claim one \$include file. Examiner is required to give claims their broadest reasonable interpretation in light of the supporting disclosure without importing limitations from the specification into the claims. It is unclear precisely what comprises a \$include file. Applicant is requested to provide claim language that clearly and precisely defines the claimed invention. Appropriate correction is required.

***Art Rejection Precluded:***

Due to the difficulty experienced in the interpretation of the language of claims 17, 30, 43 and 53, it is not possible to make an art rejection in this office action.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 5-9, 14, 15, 18, 20, 21, 23, 25-29, 31, 33, 34, 37, 38, 40, 44, 45, 47, 48, 50, 54, 57 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pub No US 2002/0178246 issued to Mayer (hereafter Mayer) in view of Pub No US 2002/0010618 issued to Pellegrinelli et al (hereafter Pellegrinelli).

**Claims 1, 21, 34 and 45:**

Mayer discloses validating configuration information items [Fig 10, step 1040, paragraph 91], extracting configuration information from a database [Fig 3, paragraph 36], and generating a text-based configuration file containing the extracted configuration information [paragraph 36].

Mayer discloses the essential elements of the claimed invention as noted above but does not disclose storing the configuration information in a database. Pellegrinelli discloses storing the configuration information in a database [paragraph 21]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mayer to include storing the configuration information in a database as taught by Pellegrinelli for the purpose of accessing

customer information via the well-known Structured Query Language [paragraph 21]. The skilled artisan would have been motivated to modify Mayer per the above such that customer information can be collected and accessed in an intelligent and fast manner [paragraph 21].

Claim 3:

The combination of Mayer and Pellegrinelli discloses the elements of claim 1 as noted above and furthermore, Mayer discloses a relational database [paragraph 21].

Claim 5:

The combination of Mayer and Pellegrinelli discloses the elements of claim 1 as noted above and furthermore, Mayer discloses configuring a messaging application [paragraph 16] using the configuration file

Claims 6 and 14:

The combination of Mayer and Pellegrinelli discloses the elements of claim 1 as noted above and furthermore, Pellegrinelli discloses periodically generating additional text-based configuration files according to a schedule [paragraph 19, on demand as initiated by a user]

Claim 7:

The combination of Mayer and Pellegrinelli discloses the elements of claim 1 as noted above and furthermore, Mayer discloses wherein the database includes configuration information for a plurality of business sites across a plurality of networks [Fig 1, 100, 110, 140]

Claim 8:

The combination of Mayer and Pellegrinelli discloses the elements of claim 1 as noted above and furthermore, Mayer discloses wherein the configuration information is used by at least one messaging application to transmit a message to a destination [paragraph 17]

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Claim 9:

The combination of Mayer and Pellegrinelli discloses the elements of claim 1 as noted above and furthermore, Mayer discloses wherein the configuration information includes a contact [business relationship, paragraph 89]

Claim 15:

The combination of Mayer and Pellegrinelli discloses the elements of claim 1 as noted above and furthermore, Mayer discloses wherein the configuration information includes a strategy [network policy, paragraph 15]

Claim 18:

The combination of Mayer and Pellegrinelli discloses the elements of claim 1 as noted above and furthermore, Mayer discloses compiling the configuration file into a compiled file at a later time [Fig 10, step 1070, paragraph 92]

Claim 20:

The combination of Mayer and Pellegrinelli discloses the elements of claim 1 as noted above and furthermore, Mayer discloses wherein the extracting is performed over a secure communication pathway [paragraph 62, password protected]

Claim 23:

The combination of Mayer and Pellegrinelli discloses the elements of claim 21 as noted above and furthermore, Mayer discloses a relational database [paragraph 21].

Claim 25:

The combination of Mayer and Pellegrinelli discloses the elements of claim 21 as noted above and furthermore, Mayer discloses configuring a messaging application [paragraph 16] using the configuration file

Claim 26:

The combination of Mayer and Pellegrinelli discloses the elements of claim 21 as noted above and furthermore, Pellegrinelli discloses periodically generating additional text-based configuration files according to a schedule [paragraph 19, on demand as initiated by a user]

Claim 27:

The combination of Mayer and Pellegrinelli discloses the elements of claim 21 as noted above and furthermore, Mayer discloses wherein the database includes configuration information for a plurality of business sites across a plurality of networks [Fig 1, 100, 110, 140]

Claim 28:

The combination of Mayer and Pellegrinelli discloses the elements of claim 21 as noted above and furthermore, Mayer discloses wherein the configuration information is used by at least one messaging application to transmit a message to a destination [paragraph 17]

Claim 29:

The combination of Mayer and Pellegrinelli discloses the elements of claim 21 as noted above and furthermore, Mayer discloses wherein the configuration information includes a contact [business relationship, paragraph 89]

Claim 31:

The combination of Mayer and Pellegrinelli discloses the elements of claim 21 as noted above and furthermore, Mayer discloses compiling the configuration file into a compiled file at a later time [Fig 10, step 1070, paragraph 92]

Claim 33:

The combination of Mayer and Pellegrinelli discloses the elements of claim 21 as noted above and furthermore, Mayer discloses wherein the extracting is performed over a secure communication pathway [paragraph 62, password protected]

Claim 37:

The combination of Mayer and Pellegrinelli discloses the elements of claim 34 as noted above and furthermore, Mayer discloses wherein the configuration information includes a contact [business relationship, paragraph 89]

Claim 38:

The combination of Mayer and Pellegrinelli discloses the elements of claim 34 as noted above and furthermore, Mayer discloses a relational database [paragraph 21].

Claim 40:

The combination of Mayer and Pellegrinelli discloses the elements of claim 34 as noted above and furthermore, Mayer discloses a compiler to generate a binary configuration file after generation of the configuration file [paragraph 66].

Claim 44:

The combination of Mayer and Pellegrinelli discloses the elements of claim 34 as noted above and furthermore, Mayer discloses wherein the extracting is performed over a secure communication pathway [paragraph 62, password protected]

Claim 47:

The combination of Mayer and Pellegrinelli discloses the elements of claim 45 as noted above and furthermore, Mayer discloses wherein the configuration information includes a contact [business relationship, paragraph 89]

Claim 48:

The combination of Mayer and Pellegrinelli discloses the elements of claim 45 as noted above and furthermore, Mayer discloses a relational database [paragraph 21].

Claim 50:

The combination of Mayer and Pellegrinelli discloses the elements of claim 1 as noted above and furthermore, Mayer discloses compiling the configuration file into a compiled file at a later time [Fig 10, step 1070, paragraph 92]

Claim 54:

The combination of Mayer and Pellegrinelli discloses the elements of claim 45 as noted above and furthermore, Mayer discloses wherein the extracting is performed over a secure communication pathway [paragraph 62, password protected]

Claim 57:

The combination of Mayer and Pellegrinelli discloses the elements of claims 1 and 7 as noted above and furthermore, Mayer discloses wherein the configuration information extracted from the database is specific to one of the plurality of business sites [Fig 1, 100, 110, 140]

Claim 58:

The combination of Mayer and Pellegrinelli discloses the elements of claim 1 as noted above and furthermore, Mayer discloses a referential check [employees losing access, paragraph 91].

Claims 2, 22, 36 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Mayer and Pellegrinelli and further in view of Pub No US 2003/0020750 issued to Brown et al (hereafter Brown).

Claim 2:

The combination of Mayer and Pellegrinelli discloses the elements of claim 1 as noted above but does not disclose wherein the configuration information includes configuration keyword information recognizable by a messaging application. Brown discloses wherein the configuration information includes configuration keyword information recognizable by a messaging application [paragraph 59]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein the configuration information includes configuration keyword information recognizable by a messaging application as taught by Brown for the purpose of alerting a user to an incoming message which matches the user's preference [paragraph 59]. The skilled artisan would have been motivated to modify the above combination of references such that a user is able to quickly identify a messaging of interest from the host of messages that a user typically receives in a day.

Claim 22:

The combination of Mayer and Pellegrinelli discloses the elements of claim 21 as noted above but does not disclose wherein the configuration information includes configuration

keyword information recognizable by a messaging application. Brown discloses wherein the configuration information includes configuration keyword information recognizable by a messaging application [paragraph 59]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein the configuration information includes configuration keyword information recognizable by a messaging application as taught by Brown for the purpose of alerting a user to an incoming message which matches the user's preference [paragraph 59]. The skilled artisan would have been motivated to modify the above combination of references such that a user is able to quickly identify a messaging of interest from the host of messages that a user typically receives in a day.

Claim 36:

The combination of Mayer and Pellegrinelli discloses the elements of claim 34 as noted above but does not disclose wherein the configuration information includes configuration keyword information recognizable by a messaging application. Brown discloses wherein the configuration information includes configuration keyword information recognizable by a messaging application [paragraph 59]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein the configuration information includes configuration keyword information recognizable by a messaging application as taught by Brown for the purpose of alerting a user to an incoming message which matches the user's preference [paragraph 59]. The skilled artisan would have been motivated to modify the above combination of references such that a user is able to quickly identify a messaging of interest from the host of messages that a user typically receives in a day.

Claim 46:

The combination of Mayer and Pellegrinelli discloses the elements of claim 45 as noted above but does not disclose wherein the configuration information includes configuration keyword information recognizable by a messaging application. Brown discloses wherein the configuration information includes configuration keyword information recognizable by a messaging application [paragraph 59]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein the configuration information includes configuration keyword information recognizable by a messaging application as taught by Brown for the purpose of alerting a user to an incoming message which matches the user's preference [paragraph 59]. The skilled artisan would have been motivated to modify the above combination of references such that a user is able to quickly identify a messaging of interest from the host of messages that a user typically receives in a day.

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Mayer and Pellegrinelli and further in view of US Pat No 5,968,124 issued to Takahashi et al (hereafter Takahashi).

Claims 10 and 11:

The combination of Mayer and Pellegrinelli discloses the elements of claim 1 as noted above but does not disclose wherein the configuration information includes a contact method. Takahashi discloses wherein the configuration information includes a contact method [Fig 4]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein the configuration information includes a contact method as taught by Takahashi for the purpose of providing the user with

information which can be used to facilitate contacting a manager. The skilled artisan would have been motivated to modify above combination of references per the above such that business communications can be improved.

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Mayer and Pellegrinelli and further in view of Pub No US 2002/0052941 issued to Patterson (hereafter Patterson).

Claims 12 and 13:

The combination of Mayer and Pellegrinelli discloses the elements of claim 1 as noted above but does not disclose wherein the configuration information includes a contact group. Patterson discloses wherein the configuration information includes a contact group [paragraph 294]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein the configuration information includes a contact group as taught by Patterson for the purpose of adding new users [paragraph 294]. The skilled artisan would have been motivated to modify the above combination of references such that needs of a dynamic business organization can be accommodated.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Mayer and Pellegrinelli and further in view of Pub No US 2002/0064149 issued to Elliott et al (hereafter Elliott).

Claim 16:

The combination of Mayer and Pellegrinelli discloses the elements of claim 1 as noted above but does not disclose wherein the configuration information includes a pager type. Elliott discloses wherein the configuration information includes a pager type [paragraph 3840]. It would have been obvious to one of ordinary skill in the art at the time the invention wherein the configuration information includes a pager type as taught by Elliott for the purpose of communication with a user who has his/her own particular brand of pager. The skilled artisan would have been motivated to modify the above combination of references such that the system is able to accommodate a plurality of communication protocols represented by a plurality of manufacturers who manufacture pagers.

Claims 19, 32 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Mayer and Pellegrinelli and further in view of Pub No US 2002/0112021 issued to Detlef.

Claim 19:

The combination of Mayer and Pellegrinelli discloses the elements of claim 1 as noted above but the above combination of references do not disclose updating the configuration information stored in the database through a portal. Detlef discloses updating the configuration information stored in the database through a portal [paragraph 14]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include updating the configuration information stored in the database through a portal as taught by Detlef for the purpose of providing services to a user who desires to access the network through a communication device such as a pager [paragraph 13].

Claim 32:

The combination of Mayer and Pellegrinelli discloses the elements of claim 21 as noted above but the above combination of references do not disclose updating the configuration information stored in the database through a portal. Detlef discloses updating the configuration information stored in the database through a portal [paragraph 14]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include updating the configuration information stored in the database through a portal as taught by Detlef for the purpose of providing services to a user who desires to access the network through a communication device such as a pager [paragraph 13].

Claim 35:

The combination of Mayer and Pellegrinelli discloses the elements of claim 34 as noted above but the above combination of references do not disclose updating the configuration information stored in the database through a portal. Detlef discloses updating the configuration information stored in the database through a portal [paragraph 14]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include updating the configuration information stored in the database through a portal as taught by Detlef for the purpose of providing services to a user who desires to access the network through a communication device such as a pager [paragraph 13].

Claims 41 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Mayer and Pellegrinelli and further in view of Pub No US 2002/0178380 issued to Wolf et al (hereafter Wolf).

Claim 41:

The combination of Mayer and Pellegrinelli discloses the elements of claims 34 and 40 as noted above but the above combination of references does not disclose wherein the generation of the binary configuration file is executed from a scheduling tool. Wolf discloses wherein the generation of the binary configuration file is executed from a scheduling tool [paragraph 69]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein the generation of the binary configuration file is executed from a scheduling tool as taught by Wolf for the purpose of scheduling execution during off-peak hours. The skilled artisan would have been motivated to modify the above combination of references for the purpose of scheduling execution of the updating of a non-critical job such as a configuration file when it will not interfere with on-line job processing.

Claim 51:

The combination of Mayer and Pellegrinelli discloses the elements of claims 45 and 50 as noted above but the above combination of references does not disclose wherein the generation of the binary configuration file is executed from a scheduling tool. Wolf discloses wherein the generation of the binary configuration file is executed from a scheduling tool [paragraph 69]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein the generation of the binary configuration file is executed from a scheduling tool as taught by Wolf for the purpose of scheduling execution during off-peak hours. The skilled artisan would have been motivated to modify the above combination of references for the purpose of scheduling execution of the

updating of a non-critical job such as a configuration file when it will not interfere with on-line job processing.

Claims 42 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Mayer, Pellegrinelli and Wolf and further in view of US Pat No 6,883,170 issued to Garcia (hereafter Garcia).

Claim 42:

The combination of Mayer and Pellegrinelli discloses the elements of claims 34, 40 and 41 as noted above but the above combination of references does not disclose wherein the scheduling tool is a windows scheduler. Garcia discloses wherein the scheduling tool is a windows scheduler [abstract and col 6, lines 48-55]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include scheduling tool is a windows scheduler as taught by Garcia for the purpose of using a well-known means such as Windows NT.

Claim 52:

The combination of Mayer and Pellegrinelli discloses the elements of claims 45, 50 and 51 as noted above but the above combination of references does not disclose wherein the scheduling tool is a windows scheduler. Garcia discloses wherein the scheduling tool is a windows scheduler [abstract and col 6, lines 48-55]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include scheduling tool is a windows scheduler as taught by Garcia for the purpose of using a well-known means such as Windows NT.

***Response to Arguments***

Applicant's arguments filed 3/24/2005 have been fully considered but they are not persuasive based on above new grounds of rejection which are necessitated by applicant's most recent claim amendments.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Etienne LeRoux

5/13/2004

